



Citation: *BS v Minister of Employment and Social Development*, 2026 SST 192

Social Security Tribunal of Canada General Division – Income Security Section

Decision

Appellant: B S.

Respondent: Minister of Employment and Social Development

Decision under appeal: Minister of Employment and Social Development
reconsideration decision dated September 4, 2025 (issued
by Service Canada)

Tribunal member: Jackie Laidlaw

Type of hearing: Teleconference

Hearing date: February 26, 2026

Hearing participants: Appellant

Decision date: March 13, 2026

File number: GP-25-1802

Decision

[1] The appeal is dismissed.

[2] The Appellant, B S., isn't eligible for a Canada Pension Plan (CPP) disability pension. This decision explains why I am dismissing the appeal.

Overview

[3] The Appellant is a 33-year-old woman. She worked as a housekeeper until 2017 and stopped when she got pregnant causing hypertension. She always had anxiety and in 2018 she went on medication for post-partum depression. She fell into a large hole in June 2019 which caused numerous medical issues.

[4] The Appellant applied for a CPP disability pension on April 7, 2025. The Minister of Employment and Social Development (Minister) refused her application. The Appellant appealed the Minister's decision to the Social Security Tribunal's General Division.

[5] The Appellant says after the fall she became disabled.

[6] The Minister says the majority of her issues happened after her minimum qualifying period (MQP).¹

What the Appellant must prove

[7] For the Appellant to succeed, she must prove she has a disability that was severe and prolonged by her MQP of December 31, 2017. This date is based on her CPP contributions.² She must also prove that she continues to be disabled.³

¹ Service Canada uses an appellant's years of CPP contributions to calculate their coverage period, or "minimum qualifying period" (MQP). The end of the coverage period is called the MQP date. See section 44(2) of the *Canada Pension Plan*.

² The Appellant's CPP contributions are on GD4-4.

³ In *Canada (Attorney General) v Angell*, 2020 FC 1093, the Federal Court said that the appellant has to show a severe and prolonged disability by the end of their minimum qualifying period and continuously after that. See also *Brennan v Canada (Attorney General)*, 2011 FCA 318.

[8] The *Canada Pension Plan* defines “severe” and “prolonged.”

[9] A disability is **severe** if it makes an appellant incapable regularly of pursuing any substantially gainful occupation.⁴

[10] A disability is **prolonged** if it is likely to be long continued and of indefinite duration or is likely to result in death.⁵

[11] The Appellant has to prove she has a severe and prolonged disability. She has to prove this on a balance of probabilities. This means she has to show it is more likely than not that she is disabled.

Reasons for my decision

[12] I find that the Appellant hasn’t proven she had a severe and prolonged disability by December 31, 2017. I reached this decision by considering if the Appellant’s disability was severe and prolonged.

Was the Appellant’s disability severe?

[13] The Appellant’s disability wasn’t continuously severe. I reached this finding by considering several factors. I explain these factors below.

– The Appellant’s functional limitations affected her ability to work

[14] The Appellant has:

- anxiety
- depression
- panic disorder
- chronic pain
- somatic symptoms
- poor sleep

⁴ Section 42(2)(a) of the *Canada Pension Plan* gives this definition of severe disability. Section 68.1 of the *Canada Pension Plan Regulations* says a job is “substantially gainful” if it pays a salary or wages equal to or greater than the maximum annual amount a person could receive as a disability pension.

⁵ Section 42(2)(a) of the *Canada Pension Plan* gives this definition of prolonged disability.

- hand and feet numbness
- psycho-emotional distress
- migraines
- fibromyalgia
- pregnancy hypertension (resolved)

[15] However, I can't focus on the Appellant's diagnoses.⁶ Instead, I must focus on whether she has functional limitations that got in the way of her earning a living.⁷ When I do this, I have to look at **all** of the Appellant's medical conditions (not just the main one) and think about how they affected her ability to work.⁸

[16] I find that the Appellant has functional limitations that affected her ability to work.

– **What the Appellant says about her functional limitations**

[17] The Appellant says that her medical conditions have resulted in functional limitations that affect her ability to work. This is the Appellant's testimony regarding her conditions and her ability to work.

– **Issues prior to the accident in 2019**

[18] The Appellant stated she had anxiety and was not taking medication in 2014. She did not work then because she was having anxiety and panic attacks. She tried counselling and was homebound. After she married in 2014 her mental health got better. 2014 was a dark time. She was on medical EI for a short time, then stayed home for the year.

[19] Her husband's aunt got her out of her shell and got her working as a house cleaner. In 2015 she had one session of counselling but couldn't afford to continue. After that she just went through her church for counselling.

[20] The Appellant said the anxiety never stopped her from working.

⁶ See *Ferreira v Canada (Attorney General)*, 2013 FCA 81.

⁷ See *Klabouch v Canada (Social Development)*, 2008 FCA 33.

⁸ See *Bungay v Canada (Attorney General)*, 2011 FCA 47.

[21] She stopped working in 2017 when she stopped taking birth-control pills to try and get pregnant. Going off the pill caused side effects, so she did not work as much. She had counselling for panic attacks for only a month or two but could not afford to continue. Also, counselling did not work. She stated she wasn't ready to look at her problems.

[22] In 2017 she got pregnant and had hypertension by her second trimester. She was put on blood pressure medications and bed rest. She was not allowed to do anything. Bed rest lasted about 15 weeks, and she remained on blood pressure medication for six months after the birth. She had this condition with all three of her pregnancies in 2017/2018, 2020 and 2023. The first pregnancy was the worst. Her child was born in April 2018.

[23] She got post-partum depression, which her family doctor referred to as anxiety. She was put on Zoloft (also known as Sertraline). It took four months to resolve and a year to adjust to the right dose of Zoloft. She remained on Zoloft until after the birth of her second child in 2020. The medication stopped working and she tried to go without medications. That didn't work, so she was put on Prozac and after that Zoloft. Finally, in 2022 she was put on venlafaxine, along with Wellbutrin for anti-depression. She stated the venlafaxine worked immediately and she has not had a panic attack since starting the drug in 2022.

[24] The Appellant stated that until she went on medications in 2018, she had high anxiety and couldn't drive. She struggled with sleeping. She felt better when she got pregnant. But then she would get hypertension in her pregnancies. After giving birth she needed anti-depressants for post-partum depression.

[25] She stated that the hypertension has resolved. She also said that the medication venlafaxine changed her life once she started taking it in 2022.

– **Issues arising out of the accident in 2019**

[26] In June 2019 while camping she had an accident. She fell into a five-foot-deep hole in the ground.

[27] The accident caused chronic pain, headaches and migraines. She says she is completely unable to work or deal with her children. Her mother takes care of her.

[28] She says she could not be a reliable, stable worker.

– **What the medical evidence says about the Appellant’s functional limitations**

[29] The Appellant must provide some medical evidence to support that her functional limitations affected her ability to work no later than December 31, 2017.⁹

[30] Most of the medical information is from 2024 and 2025. However, these evaluations reference her conditions over the years, and prior to the accident.

– **Medical evidence regarding the fall in 2019**

[31] The medical evidence overwhelmingly shows that her debilitating conditions which she states have left her disabled are all as a result of the accident in 2019.

[32] A Psychiatry/Neuropsychiatry Independent Medical Evaluation (IME) from psychiatrist Dr. Quickfall from March 12, 2024, noted that the generalized anxiety disorder (GAD), somatic symptom disorder and chronic pain were all due to the accident. Dr. Quickfall went on to state that the Appellant had a competitive disadvantage in the workplace as a result of accident-related injuries.¹⁰

[33] Dr. H. Sanga, physiatrist, diagnosed the Appellant with:

- cervicothoracic and periscapular strain
- chronic myofascial pain
- cervicogenic headaches
- lumbosacral strain resulting in widespread chronic pain disorder
- sleep and psycho-emotional distress

⁹ See *Warren v Canada (Attorney General)*, 2008 FCA 377; and *Canada (Attorney General) v Dean*, 2020 FC 206.

¹⁰ See GD2 pages 184 to 192.

[34] He also indicated that these impairments resulted from the fall and made her not competitively employable by 2024.¹¹

[35] A Functional Capacity Evaluation (FCE) from Ms. M. Boz, occupational therapist, dated February 14, 2025, noted the Appellant suffered soft tissue injuries from the fall, which gradually worsened over time to become fibromyalgia and a panicked lifestyle. Ms. Boz felt the Appellant was not competitively employable.¹²

[36] Finally, Dr. Rhonda Shuckett, internist and rheumatologist, reported on June 24, 2024, that the Appellant had headaches after the fall. Dr. Shuckett diagnosed the following since the fall:

- moderate to severe headaches
- neck pain and right myofascial pain syndrome
- bilateral rotator cuff tendonitis
- non-specific numbness of the hands and feet for two years

[37] Dr. Shuckett was also of the opinion the Appellant was unable to work in any capacity.¹³

[38] I agree with the Minister that the fall created the conditions which have made her unable to work currently. Unfortunately, these all arose after her MQP and therefore are not relevant. I will not consider the symptoms and diagnoses which arose from the accident as they happened after her MQP. But I sympathize with the Appellant that she is currently unable to work since the accident of 2019.

[39] I do believe, however, that she was unable to work for a period of time while pregnant due to hypertension and post-partum depression. Both of these conditions, however, have resolved. I will explain further.

¹¹ See GD2 pages 134 to 146.

¹² See GD2 pages 64 to 109.

¹³ See GD2 pages 110 to 121.

– **Conditions prior to her MQP**

[40] The IME from Dr. Quickfall from March 12, 2024, indicated she had low mood and anxiety in 2014 and was prescribed clonazepam, but the prescription was unused. She had a single session of counselling in January 2015 for anxiety. She took four to five months off work in 2014 due to anxiety and did not miss any other work. She benefited from sertraline (Zoloft) which was prescribed for anxiety in 2018. Dr. Quickfall indicated her mental health was well controlled before the accident of 2019.¹⁴

[41] Dr. Sanga indicated she was “fully functional” prior to the fall. She did have a history of mental health related to pregnancy and post-partum depression. Pre-fall events that were noted included anxiety, depression and pregnancy-induced hypertension between July 2014 and May 2019. She had one session for counselling for anxiety attacks in January 2015, and three sessions of counselling for panic attacks between February and March 2017.¹⁵

[42] Ms. M. Boz noted in the FCE that the Appellant experienced panic attacks and phobias when working as a cleaner and was diagnosed with panic disorder requiring time off work. She then returned to work after counselling. She also had generalized anxiety as a young adult not requiring medication. Other than that, she was generally healthy at the time of the accident.¹⁶

[43] I accept that the Appellant had post-partum depression with her pregnancies. She also had pregnancy hypertension, which she stated made her bed-ridden prior to giving birth. This would affect her ability to work. There is evidence she had anxiety and panic attacks prior to her MQP which did affect her ability to work.

[44] The medical evidence supports that the Appellant’s panic attacks, anxiety, and pregnancy hypertension prevented her from working by December 31, 2017.

¹⁴ See GD2 pages 184 to 192.

¹⁵ See GD2 pages 134 to 146.

¹⁶ See GD2 page 64.

Was the Appellant's disability prolonged?

[45] The Appellant's disability was not prolonged.

[46] The Appellant's pregnancy hypertension and post-partum depression are both situational and temporary and occurred with pregnancy. They both have resolved.

[47] The Appellant's GAD has been well treated with the medication venlafaxine, and she testified she has not had a panic attack since starting the medication in 2022. She also stated the medication has changed her life.

[48] The conditions which prevented her from working prior to her MQP have all resolved or, in the case of GAD, are being managed with medications.

[49] Every one of the specialists—Ms. Boz, Dr. Sanga and Dr. Quickfall—noted that she was fully functional and her mental health was well controlled before the accident. This would mean the conditions before her MQP had resolved.

[50] She only had the one pregnancy by 2019 but she went on to have two more in 2020 and 2023. She said the 2017/2018 pregnancy was the worst for hypertension and post-partum depression or GAD. The 2018 pregnancy conditions resolved. She had the conditions again, less severe in 2020 and 2023, and they too resolved. Meaning, they are not long continued. They are situational conditions and not of indefinite duration.

[51] The Appellant's medical conditions of hypertension and post-partum depression at the time of her MQP are not likely to be long continued and of indefinite duration and therefore her disability is not prolonged.

Conclusion

[52] I find that the Appellant isn't eligible for a CPP disability pension because her disabilities at the time of her MQP weren't prolonged.

[53] This means the appeal is dismissed.

Jackie Laidlaw
Member, General Division – Income Security Section